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PTO/SB/01 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032
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| DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required) OR | Attorney Docket Number | END-5017NP |
| | First Named Inventor | James W. Voegelé et al. |
| | COMPLETE IF KNOWN | |
| | Application Number | 10/777,708 |
| | Filing Date | February 12, 2004 |
| | Group Art Unit | |
| | Examiner Name | |

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MULTIFUNCTIONAL SURGICAL INSTRUMENT
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) February 12, 2004 as United States Application Number or PCT International Application Number 10/777,708 and was amended on (MM/DD/YYYY) ☐

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|---|---------|-------------------------------------|--|--|--|
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☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | |
|-----------------------|--------------------------|--|
| 60/447,542 | February 14, 2003 | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status |
|------------------------|-------------|--------|
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NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) James W.

Family Name
or Surname Voegele

Inventor's
Signature

James W. Voegele

Date

5/26/04

Residence: City Cincinnati

State OH

Country USA

Citizenship USA

Mailing Address 11486 Kemperknoll Lane, Cincinnati, OH 45249

City Cincinnati

State OH

ZIP 45249

Country USA

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NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Robert P.

Family Name
or Surname Gill

Inventor's
Signature

Robert P. L.

Date

5/26/04

Residence: City Mason,

State OH

Country USA

Citizenship USA

Mailing Address 9122 Nottingham Way, Mason, OH 45040

City Mason,

State OH

ZIP 45040

Country USA

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NAME OF THIRD INVENTOR: N/A

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Wayne L.

Family Name
or Surname Poll

Inventor's
Signature

Date

Residence: City New Albany

State OH

Country USA

Citizenship USA

Mailing Address 7609 Lambton Park Road, New Albany, OH 43054

City New Albany

State OH

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NAME OF SOLE OR FIRST INVENTOR:

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Given Name
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6/1/2004

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State OH

Country USA

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